


TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 3998-051955 U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/540743
INTERNATIONAL APPLICATION NO. PCT/CA2003/002008	INTERNATIONAL FILING DATE 24.12.2003 (December 24, 2003)	PRIORITY DATE CLAIMED 24.12.2002 (December 24, 2002)
TITLE OF INVENTION Encapsulated Cell Therapy		
APPLICANT(S) FOR DO/EO/US Duncan J. STEWART, David COURTMAN and Golnaz KAROUBI		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input checked="" type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). Items 11 to 20 below concern document(s) or information included: 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825. 18. <input checked="" type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input type="checkbox"/> Other items or information:		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
10/540743		PCT/CA2003/002008		3998-051955	
The following fees have been submitted				CALCULATIONS PTO USE ONLY	
21. <input checked="" type="checkbox"/> Basic national fee..... \$300				\$	300.00
22. <input checked="" type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)..... \$100 All other situations..... \$200				\$	200.00
23. <input checked="" type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100 International Search Report prepared and provided to the Office..... \$400 All other situations..... \$500				\$	400.00
TOTAL OF 21, 22 and 23 =				\$	900.00
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250	\$	0
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	130.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	37 - 20 =	17	x \$ 50	\$	850.00
Independent claims	4 - 3 =	1	x \$200	\$	200.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	\$	0
TOTAL OF ABOVE CALCULATIONS =				\$	2,080.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.				0	
SUBTOTAL =				\$	2,080.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+	\$ 0
TOTAL NATIONAL FEE =				\$	2,080.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	\$ 0
TOTAL FEES ENCLOSED =				\$	2,080.00
				Amount to be refunded:	\$
				Amount to be charged:	\$
a. <input checked="" type="checkbox"/> A check in the amount of \$ 2,080.00 to cover the above fees is enclosed.					
b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.					
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 23-0650. A duplicate copy of this sheet is enclosed.					
d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.					
SEND ALL CORRESPONDENCE TO:					
William H. Logsdon Webb Ziesenheim Logsdon Orkin & Hanson, P.C. 436 Seventh Avenue, 700 Koppers Building Pittsburgh, PA 15219-1818 Telephone: (412) 471-8815 Facsimile: (412) 471-4094					
 SIGNATURE Gwen R. Acker Wood, Ph.D. NAME 51,027 REGISTRATION NUMBER					

PATENT APPLICATION/PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

ATTORNEY'S DOCKET NUMBER

Duncan J. STEWART,
David COURTMAN
and Golnaz KAROUBI

3998-051955

PCT/CA2003/002008

ENTITLED

"ENCAPSULATED CELL THERAPY"

To MAIL STOP PCT

Attention: DO/EO/US
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

EXPRESS MAIL CERTIFICATE

"Express Mail" Label Number EL971224814US

Date of Deposit June 24, 2005

I hereby certify that the following attached papers or fees

**TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/
ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER
35 U.S.C. 371 (original and two (2) copies) and check in amount
of \$2,080.00 for filing fee and surcharge for late Declaration
LETTER RECOGNIZING ATTORNEYS
PRELIMINARY AMENDMENT with ABSTRACT
WO 2004/058305- FRONT PAGE with ABSTRACT, SPECIFICATION,
CLAIMS, DRAWINGS, SEQUENCE LISTING and SEARCH REPORT (73 pp.)**

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313-1450.

Nora Ann Pastrick

(Typed name of person mailing paper or fee)

Nora Ann Pastrick

(Signature of person mailing paper or fee)

Application No. Not Yet Assigned
Paper Dated: June 24, 2005
In Reply to USPTO Correspondence of N/A
Attorney Docket No. 3998-051955

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : Not Yet Assigned
Applicants : **Duncan J. STEWART et al.**
Filed : Concurrently Herewith
Title : **ENCAPSULATED CELL THERAPY**
International Application : No. PCT/CA2003/002008
International Filing Date : 24 December 2003
Priority Date Claimed : 24 December 2002
Customer Number : 28289

MAIL STOP PCT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

LETTER RECOGNIZING ATTORNEYS

Sir:

Enclosed are appropriate papers for initiating the national phase of the above-identified PCT application, comprising a specification, claims, drawings and search report. A Preliminary Amendment is also enclosed.

Please accept the application for purposes of granting a filing date and recognize William H. Logsdon, Richard L. Byrne and Gwen R. Acker Wood, Ph.D., Registration Nos. 22,132, 28,498 and 51,027, respectively, as attorneys in this application, pending the filing of a formal Declaration and Power of Attorney.

Kindly direct all communications relating to this application to **William H. Logsdon**.

Respectfully submitted,

WEBB ZIESENHEIM LOGSDON
ORKIN & HANSON, P.C.

By



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